

Attorney Docket: 272&0U

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| *U.S. Department Of Commerce, Patent And Trademark Office | | Date: 31 March 2006 (31.03.2006) |
| Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371 | | U.S. Application No.: (if known) or Yet Assigned 10/574227 |
| International Application No.: PCT/CH2004/000610 | International Filing Date: 01 October 2004 (01.10.2004) | Priority Date Claimed: 01 October 2003 (01.10.2003) CH-1671/03 |
| Title of Invention: METHOD FOR IN VITRO EVOLUTION OF POLYPEPTIDES | | |
| Applicants for DO/EO/US: Bertschinger, Julian HEINIS, Christian | | |

Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)):
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. The assignment is in favor of **ETH ZÜRICH, Zurich, SWITZERLAND**;
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825
18. ☐ A second copy of the published international application under 35 USC 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 USC 154(d)(4)
20. ☒ Other items or information:
 TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/030957 A1, INTERNATIONAL PUBLICATION DATE: 7 APRIL 2005 (07.04.2005), WITH THE ENGLISH TRANSLATION CONSISTING OF 38 PAGES: 30 PAGES OF TEXTUAL SPECIFICATION, 3 PAGES OF 19 CLAIMS, 0 PAGE OF THE ABSTRACT, 5 SHEETS OF DRAWINGS; **PRELIMINARY AMENDMENT WITH ATTACHMENT A AND B TO BE EXAMINED**; EXECUTED DECLARATION AND POWER OF ATTORNEY; ASSIGNMENT WITH RECORDATION COVER SHEET TO **ETH ZÜRICH, Zurich, SWITZERLAND**; PCT/IPEA/416; PCT/IPEA/409; WITH A PATENT LITERATURE: CULL ET AL; XP 002043736; PCT/IPEA/408; PCT/IB/306 (NOTIFICATION OF THE RECORDING OF A CHANGE); PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); PCT/IPEA/237; PCT/IPEA/401; FORM PCT//RO/101; APPLICANT'S RESPONSE DATED DECEMBER 22, 2005 (GERMAN); APPLICANT'S RESPONSE TO WRITTEN OPINION DATED APRIL 6, 2005 (GERMAN); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.

Attorney Docket: 27280U*

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| U.S. Application Number: (if known): Not Yet Assigned 10/574227 | International Application Number: PCT/CH2004/000610 | Date: 31 March 2006 (31.03.2006) |
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| The following fees are submitted: 21. Basic National Fee (37 CFR 1.492(a)) \$ 300.00 22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 All other situations \$ 200.00 23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00 All other situations \$ 500.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof. <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | CALCULATIONS \$ 300.00 \$ 200.00 \$ 400.00 \$ 900.00 | PTO USE ONLY |
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| Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ 0.00 | |
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| CLAIMS | NUMBER: FILED | NUMBER: EXTRA | RATE | | |
|--|------------------|------------------|-------------|--------------------------------------|----------|
| TOTAL | 19-20= | 0 | X \$ 50.00 | \$ 0.00 | |
| INDEPENDENT | 1-3= | 0 | X \$ 200.00 | \$ 0.00 | |
| Multiple dependent claims(s) (if applicable) | | | + \$360.00 | \$ 0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 900.00 | |
| Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ 450.00 | |
| SUBTOTAL = | | | | \$ 450.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + | | | | \$ 0.00 | |
| TOTAL NATIONAL FEE = | | | | \$ 450.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 490.00 | |
| | | | | Amount to be: refunded charged | \$ \$ |

U.S. Application Number:
(if known): Not Yet AssignedInternational Application
Number: PCT/CH2004/000610

Date: 31 March 2006 (31.03.2006)

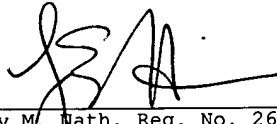
10/574227

- a. ☒ One check in the amount of \$ 490.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form.
☐ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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10/574227

1422 MAR 31 PCT/PTO 31 MAR 2006

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Attorney Docket: 27280U

Date: March 31, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BERTSCHINGER et al.

Serial No.: Not Yet Assigned

Filed: March 31, 2006

Internatl. Appl. No.: PCT/CH2004/000610

Internatl. Filing Date: 01 October 2004 (01.10.2004)

Title: **METHOD FOR IN VITRO EVOLUTION OF POLYPEPTIDES**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/030957 A1; International Publication Date: 07 April 2005 (07.4.2005), with the English translation which consists of 38 pages:
 - 30 pages of Textual Specification,
 - 3 page of 19 Claims,
 - 5 sheets of Drawings;
- 4) **Preliminary Amendment with Attachment A to be examined;**
- 5) Executed Declaration and Power of Attorney;
- 6) Executed Assignment with Recordation Cover Sheet to **ETH ZÜRICH**, Zurich, SWITZERLAND;
- 7) PCT/IPEA/416;
- 8) PCT/IPEA/409 with a patent literature: Cull et al; XP 002043736;
- 9) PCT/IPEA/408;
- 10) PCT/IB/306 (Notification of the recording of a change);
- 11) PCT/ISA/210 (International Search Report);
- 12) PCT/ISA/237;
- 13) PCT/IPEA/401;
- 14) Form PCT//RO/101;
- 15) Applicant's response dated December 22, 2005 (German);
- 16) Applicant's response to written opinion dated April 6, 2005 (German);
- 17) Check No.: 1899 in the Amount of \$ 490.00 for the Basic Filing Fee, which includes the Search and Examination Fees (\$450), as a Small Entity, and the Fee for Recordation of the Assignment (\$40);
- 18) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 52,993
Customer No. 20529

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GMN/TEH/SW (NATLPHASE.APPLICATION)